

**IDAHO STATE ELECTRICAL BOARD MEETING
November 3, 2005**

MINUTES

Note: The following report is not intended to be a verbatim transcript of the discussions at the meeting, but is intended to record the significant features of those discussions.

The Idaho State Electrical Bureau held a regular board meeting at the Division of Building Safety, “Main Conference Room”, located at 1090 E Watertower Street, Meridian, Idaho on November 3, 2005, and the meeting was called to order by Chairman, Tom Brown at 9:00 a.m. Those attending were:

**ELECTRICAL
BOARD MEMBERS:**

Tom Brown, Chairman
Greg Ford, Vice Chairman
Al Frieze
Kreg Davis
Dale Pippitt
Chris Jensen
Lee Riley
Tim Phillips

**ELECTRICAL BOARD
MEMBERS ABSENT:**

Vacant – one position

**DBS-ELECTRICAL BUREAU
STAFF MEMBERS:**

John McAllister, Acting Administrator
Steve Keys, Buildings Bureau Chief
Gary Malmen, Electrical Bureau Chief
Marsi Woody, Deputy Administrator
Kay Christensen, Deputy Attorney General
Jeff Fitzloff, Code Specialist/Outreach
Tina Smith, Office Services Supervisor
Lorraine Mallett, Administrative Assistant

VISITORS:

Robert Bodell, IBEW 449
Bob Eugene, Underwriters Laboratories
Marc Bernesen, IBEW Local 291
Dick Rush, ID Assoc of Commerce, Industry
Bob Scott, Quality Electric
James R. Weimer, E ID Elect JATC
Jim Schmer, Boise City Inspector
Bob Corbell, IEC/HVAC Assoc.
Mark Norviel, Idaho State University
Benny Antunes, IBEW 291
Russell Hill, IBEW 449
Stephanie Franks, Area 2 Inspector Supervisor
Richard Likes, L & F Electric Inc
Harold Welch, City of Meridian Elec Inspector
Ray Hoy, Nampa
John Stricklin, ID Chapter IAIE
Corry Bennett, Romar
Lance Chandler, Power Plus

Reynold Baumgartner, Baumgartner Elect
Ken Everett,
Ed Loughney, SW ID Electrical JATC
Burton, Waite, Div of Prof-Tech Ed
Kelly Lamp, SW ID Electrical JATC
Gabe Roberts, Roberts Elect
Bryan Wooddell, Triple Doubles Investments
Jim Palmer, Integrity Inspections
Mike Bradshaw, Romar
Travis Gunn, Romar
Jim Webb, BSU
Kelly Matthews, Tri State
Doug Hatch, ICC
Brent Matkin, Power Plus
Ben Sameson, Power Plus
Mike Neff, Power Plus
Justin Missedine, Power Plus
Ray Childers, Power Plus
Ginger McArthur, Electrical Wholesale

MINUTES

MOTION: Mr. Tim Phillips made a motion to accept the minutes of August 11, 2005 as written. The motion was seconded by Mr. Chris Jensen, motion passed unanimously.

Administrative Appeal

Eagle Electric of Idaho NOV# 19586

Chairman Brown directed board members to page 10 in the board packet and Fred Simpson, Eagle Electric was contacted by teleconference to address the appeal. Fred Simpson gave a brief outline of his side of the information. Discussion followed focusing on the fact that the time frame allowed for corrections wasn't met and no written paperwork was done. Everything presented was verbal, so no written evidence was available. Other perspectives of what happened when this Civil Penalty was issued were discussed. The Board made the recommendation to Eagle Electric, that written communications be submitted in the future and timelines be met.

MOTION: Mr. Dale Pippitt moved that this appeal be granted and money refunded. Motion was seconded, motion passed unanimously.

ACTION: Electrical Bureau would cancel NOV 19586 and send refund check to Eagle Electric.

Chris Jensen said that the information presented at the hearing was biased towards the contractor and that the Bureau's perspective was not adequately represented. It was suggested that the Bureau be better prepared in future appeals, with the inspector that issued the penalty available for questions and that more complete information be included in the packet. Specifically, Mr. Jensen requested confirmation as to whether any required corrections had been made. Mr. Keys assured the board that the Bureau would be better prepared for future hearings.

ACTION: Bureau will provide better documentation in packet and have inspector available for questions.

Baumgartner Electric NOV# 171759

Chairman Brown directed the board to page 16 in the board packet and acknowledged Reynold Baumgartner, Baumgartner Electric. Discussion followed on when the permit was issued and when the work actually started. Also discussed was whether the employees working on this job were licensed.

MOTION: Greg Ford moved to table this appeal until after the break so the Bureau could submit more pertinent information. Kreg Davis seconded. All in favor, motion passed.

Electrical Board readdressed the Baumgartner Electric appeal. Board members asked Reynold Baumgartner further questions pertaining to the issues in the Notice of Violations #171759.

MOTION: Chris Jensen made the motion to deny the appeal. Greg Ford seconded the motion. All in favor, motion passed.

ACTION: Kay Christensen will write order of appeal rights to Mr. Baumgartner.

LEGISLATIVE ISSUES

Chairman Brown directed board members to page 23 in the board packet and acknowledged Mr. Dick Rush, Idaho Association of Commerce and Industry who wished to address the Legislative Docket numbers 07-0103-0403 Rules of Electrical Licensing & Registration – General; 07-0104-0501 Rules Governing Electrical Specialty Licensing; and 07-0104-0503 Rules Governing Electrical Specialty Contractor Licensing. These rules address changing the requirements for a supervising electrician to a master electrician instead of a journeyman electrician. Discussion that followed focused on the fact that the board had publicized and invited public and industry input on the proposed rules for the last four years. Other concerns brought forth were the financial cost that this change would involve (Mr. Rush voiced for the Industry) and the late date of the objections voiced by the Idaho Association Commerce and Industry and others.

MOTION: Mr. Kreg Davis moved that the Board go into executive session. Motion was seconded, roll call vote was done, all in favor, motion passed.

Board went into executive session at 10:00 am. Chairman Tom Brown called meeting to order from executive session at 10:50 am.

Chairman Brown directed board back to Legislative Issues addressing the following dockets:

07-0101-0501 Rules Governing Electrical Inspection Tags

MOTION: Kreg Davis moved to vacate this docket pending more input. Seconded by Tim Phillips, all in favor, motion passed.

07-0102-0501 (Fee Rule) Rules Governing Fees for Electrical Inspections (Masters)

MOTION: Al Frieze moved to adopt this rule pending Legislative approval. Greg Ford seconded motion. All in favor, motion passed.

07-0103-0403 Rules of Electrical Licensing and Registration - General (Masters)

MOTION: Tim Phillips moved to vacate this docket. Lee Riley seconded the motion. All in favor, motion passed.

07-0104-0501 Rules Governing Electrical Specialty Licensing (Waste Water)

MOTION: Dale Pippitt moved to adopt this rule pending Legislative approval. Chris Jensen seconded motion. All in favor, motion passed.

07-0104-0502 Rules Governing Limited Energy (Communications)

MOTION: All Frieze moved to adopt it as a pending rule. Chris Jensen seconded motion. All in favor, motion passed.

07-0104-0503 Rules Governing Electrical Specialty Contractor Licensing (Masters)

MOTION: Greg Ford moved to vacate this docket. Motion was seconded, all in favor, motion passed.

07-0106-0501 Use of National Electrical Code

This was already approved as a temporary rule and it will be taken to the legislature to approve as a permanent rule.

ELECTRICAL INSPECTIONS

Electrical Contractual Inspectors: Chairman Tom Brown acknowledged Steve Keys who informed the board that at this time the Division has decided not to proceed further with this idea at this time. The bureau has asked for more full-time inspector employees.

Electrical Star (Inspection) program: Chairman Brown acknowledged Kreg Davis who gave information on the progress of researching another alternative for electrical inspections, this one similar to the OSHA program. A small group of volunteers met and discussed the parameters that would be applicable to this type of program. The group defined fourteen (14) specific criteria to be addressed in the formulation of a proposal. The next step is the formulation of a “straw man” proposal that reflects these criteria. The volunteers will publish the “straw man” proposal for the Board’s review and subsequent discussion at a future board meeting.

ACTION: Kreg Davis is to send out the attributes to the board members.

Home Inspectors: Chairman Brown shared with the Board that Ron Dell, City of Meridian brought up the concern that home inspectors are opening electrical panels, range outlets, and GFI receptacles. This often necessitates an electrical contractor being called to fix these items. The chairman brought this up for informational purposes and voiced his opinion that these home inspectors are not qualified to be tearing things out. Kay Christensen, ADG commented that Electrical board doesn’t have jurisdiction relative to licensing or certifying home inspectors. The board could encourage industry to become more involved and have input into the licensing requirements for home inspectors.

Electrical Inspection Procedures: Chairman Brown brought up a concern regarding the Bureau's inspection procedures and areas that need to be addressed. Loss of inspection requests through telephone messages, computer issues and other problems need to be resolved. The Bureau responded that a new clerical procedure has been put in place within the last week and that they hoped it would resolve most if not all of those issues. Also Jeff Fitzloff, Code Specialist is conducting training to help inspectors be more consistent in interpretations and to reinforce the customer service emphasis.

ELECTRICAL EXAMINATIONS STATUS

Doug Hatch, International Code Council (ICC) gave a brief update on the ICC progress. Mr. Hatch informed the board that three, two-day meetings were held in the past months getting exam questions identified. The first process of establishing tests has been completed. The next process is the maintenance phase; adding to the question banks and analysis' the questions with the item output. Mr. Hatch passed out a draft examination information/bulletin that will be made available on their website. ICC works with Laser Grade who actually provides the exam via computer. Implementation of exams was discussed and it was decided January 3, 2006 would be the defined date for the switch to ICC as the examination provider. Boise State University's services would be dropped. Locations in Idaho that the exam can be taken at are Post Falls, Caldwell, Boise and Blackfoot. The board did make the comment that Lewiston and Twin Falls would be good areas to have exam sites. Clarification on reference materials that could be taken into the exam was brought up, Doug Hatch referenced page 7 and 8 that addressed these concerns. Mr. Hatch mentioned that the ICC has had an Electrical Inspectors exam certification program since 1972 and would like the board to consider officially recognizing it for the State of Idaho inspectors. Bureau personnel did bring up the concern that a national certification program could be costly to the inspectors. Specifically referenced were ongoing certification requirements, including the costs of retesting and completing continuing education courses.

ACTION: Board asked Doug Hatch to come back at the next meeting to give presentation on ICC's inspector's certification program.

Chairman Brown brought up the bureau's policy that grants a work permit to a fourth year apprentice who has qualified to take the journeyman's exam. Kay Christensen, ADG, commented that the bureau does not have the authority to issue temporary licenses for any licenses.

ACTION: Board's consensus was that the temporary journeyman authorization letter be stopped. Applicants for licensure must satisfy all requirements (such as passing the test) before a license will be issued.

ELECTRICAL APPRENTICES

Chairman Brown acknowledged Gary Malmen who gave an update on the Electrical Apprentices registration and renewal procedures. Concern voiced was that the process on electronically streamlining in the computer program has not been followed through and still an outstanding issue. Steve Keys updated the board regarding legislative proposals to stagger dates for licensing renewals, and informed the board that the bureau is looking at the apprentice process. Items under consideration include making the apprentice responsible for keeping track of their work and school hours, not the bureau. The bureau will be getting back to the board with suggestions for solutions as they evolve.

NATIONAL ELECTRICAL CODE 2005

Agricultural Buildings Horse Barns (Article 547) – Chairman Brown directed the board to page 41 in the board packet and acknowledged Jeff Fitzloff who gave a power point presentation on the issue of grounding at livestock containment areas. A discussion followed, centered on inspection problems associated with small/hobby farms and horse barns. At this time, if the ground grid was not installed under the concrete, the homeowner or electrician is required to cut out concrete and install a grid in order to pass inspection.

ACTION: Board asked Jeff Fitzloff to write a code proposal to exempt horses and bring it back to the next board meeting. Mr. Fitzloff will also cover this at his grounding educational meeting with inspectors and other invited officials to help get the word out on this issue.

ACTION: Tim Phillips offered to invite an Engineer from Idaho Power to explain voltage issue and answer questions at the next meeting.

Concrete Incased Grounding Electrodes (Article 250.50) – Gary Malmen discussed the next item pertaining to Concrete Encased Grounding Electrodes. It was brought to the board's attention that the Bureau is having problems with verifying that the rebar is 20 feet long because the electrical contractor is usually not involved at this stage with the building contractor. Bureau has made a purchase of ground resistance test instruments, trying them out to see if they are suitable and meet the inspector's needs. Discussion followed and it was brought to the board's attention that these instruments won't be able to access the grounding electrode if only a 4"x4" opening is allowed. Suggestion was that education be provided to the general contractors so they know what is required.

ACTION: Bureau would like the board's help in formalizing some method to make sure Bureau has access to that rebar.

Swimming Pool Grounding (Article 680) – Chairman Brown said to take what was said for the horse barns and just put people in the equation. The chairman said that three (3) municipalities all have differing requirements. This makes it difficult for contractors with the same code being interpreted differently relative to the equipotential plane. Discussion did disclose that education must be extended to swimming pool contractors to make it clear what is required for swimming pool grounding installations.

ELECTRICAL LICENSING

Jeff Fitzloff was acknowledged and he directed the board to page 48 in the board packet. He had contacted the continuing education institutions that are offering on-line computer courses about their security measures. The bottom line was most cannot verify who is behind the computer; the security on computer courses is not very tight.

MULTI-STATE RECIPROCITY AGREEMENT

Steve Keys was acknowledged and addressed the multi-state reciprocity status. On page 56 in the board packet was a copy of the correspondence that effectively withdrew Idaho from the multi-state reciprocity agreement. The multi state reciprocal agreement required a thirty (30) day formal notice. Effective November 7, 2005 Idaho will no longer participate in the multi state agreement. Conversations with Montana showing interest in a one on one agreement and believe will have similar situations with other states in the future. Oregon is already in a one on one agreement with Idaho.

ACTION: Bureau will continue to pursue reciprocity agreements with other states that have equivalent requirements.

ELECTRICAL BUREAU FISCAL REPORTS

Chairman Brown acknowledged Marsi Woody, Deputy Administrator who gave the Electrical Bureau Fiscal report that had been handed out earlier. Ms. Woody went through the first quarter of the fiscal year, brought to the boards' attention to the increase in the fuel costs, a 25% increase because of the price increases in that commodity. Also reported that the first three months of 2006 fiscal year show the revenue from inspections increased 17% and bureau doesn't see any signs of it slowing.

OLD BUSINESS

Rosie Roscoe, BSU distributed new electrical apprentice placement procedures and asked for the boards approval for the new standardized procedures so they could go forward with changes. Changes included procedures for retaking exams and the maximum time limit for each test. Ms. Roscoe also informed the board that procedures were being turned over to the Assessment Department instead of the Center for Workforce Training because that department was not set up for testing. Greg Ford made the suggestion that the 2 hours maximum to take the tests be changed to 3 hours to keep hours consistent, Ms. Roscoe

agreed with this and would make the change. Board would like the procedures to be put it in the next board packet for study and bring it back to the next meeting for decision.

ACTION: Incorporate the three hour requirement for the testing on an interim bases and than review it and make a decision at next board meeting. On interim bases bureau will follow the distributed new electrical apprentice placement procedures.

NEW BUSINESS

Chairman Brown acknowledged Mr. Bob Corbell who informed the board that he and Steve Keys had met with Representative Black and Senator Geddes on the liability Insurance and Workers Compensation legislation that had gone into affect July 2006. Legislation is being drafted by insurance companies to include a \$10,000 bond for all three bureaus for licenses. Mr. Corbell has not seen the draft yet, but will get it distributed upon receipt. Discussion that followed asked if this bond would be tied to electrical contractor projects. Conclusion is that it is a license bond and that it would apply if a contractor doesn't do good work or doesn't finish a job. The consumer can apply to the bonding company for compensation.

BOARD MEETINGS – 2006 SCHEDULE

Board was directed to page 63 in the board packet to a 2006 calendar and schedule for board meetings for 2006 was set to the following:

February 9, 2006 – Meridian

May 11, 2006 – Twin Falls

August 10, 2006 – Post Falls

November 9, 2006 - Nampa

Electrical Bureau wished to go on record thanking all those people that participated and helped with the ICC exam workshops that were held.

MOTION: Chris Jensen moved to adjourn; motion was seconded by Lee Riley. All in favor, motion carried unanimously. Meeting was adjourned at 3:00 pm.

John A. McAllister, Administrator
Division of Building Safety

DATE

Steve Keys
Buildings Bureau Chief, DBS

DATE

Tom Brown, Chairman
State of Idaho Electrical Board

DATE